

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

SUSANNAH KARATZIAS,

Plaintiff,

v.

**CIVIL ACTION NO.: 3:20-CV-132
(GROH)**

KRISTINA NEUMILLER,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

Now before the Court is a Report and Recommendation (“R&R”) of United States Magistrate Judge Robert W. Trumble. Pursuant to 28 U.S.C. § 1915(e)(2)(B), this action was referred to Magistrate Judge Trumble for submission of a proposed R&R. Magistrate Judge Trumble issued his R&R [ECF No. 7] on September 10, 2020. Therein, Magistrate Judge Trumble recommends that the Plaintiff’s Complaint [ECF No. 1] be dismissed without prejudice because this Court is not an appropriate venue for this civil action.

Pursuant to 28 U.S.C. § 636(b)(1)(C), this Court must conduct a *de novo* review of the magistrate judge’s findings where objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and of a party’s right to appeal this Court’s Order. 28.U.S.C. § 636(b)(1); Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989); United States v. Schronce, 727 F.2d 91, 94 (4th Cir. 1984).

Objections to Magistrate Judge Trumble's R&R were due within fourteen plus three days of service. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The R&R was mailed to the Plaintiff by certified mail on September 10, 2020.¹ ECF No. 7. Accordingly, this Court reviews the R&R for clear error.

Upon careful review and thoughtful consideration, it is the opinion of this Court that Magistrate Judge Trumble's R&R [ECF No. 7] should be, and is hereby, **ORDERED ADOPTED** for the reasons more fully stated therein. Therefore, the Plaintiff's Complaint [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**. The Plaintiff's [ECF No. 4] Motion to Proceed *in forma pauperis* is **DENIED AS MOOT**.

This matter is **ORDERED STRICKEN** from the Court's active docket. The Clerk of Court is **DIRECTED** to retain a copy of this Order in the event the *pro se* Plaintiff contacts the Clerk's office about this matter in the future.

DATED: October 6, 2020



GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE

¹ The R&R was returned to the Clerk's Office undeliverable and marked "Vacant/Unable to Forward." ECF No. 10. Accordingly, the Court construes the Plaintiff's failure to maintain a valid address with the Clerk's Office as abandoning this civil action and a failure to prosecute, which serves as a separate and independent basis for dismissal.